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6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**
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9 Rachel Mira,
10 Plaintiff,
11 v.
12 Bank of America,
13 Defendant.
14

No. CV-24-03684-PHX-KML

ORDER

15 Plaintiff Rachel Mira filed a complaint against Bank of America. (Doc. 1.) Mira also
16 filed an application for leave to proceed without prepaying fees or costs. (Doc. 5.) That
17 application is granted. Having granted that application, the court can assess whether Mira's
18 complaint states any claims on which she might be able to obtain relief. 28 U.S.C.
19 § 1915(e)(1). It does not.

20 In the section of her complaint labeled "Statement of Claim," Mira alleges as
21 follows:

22 I, as Surety, stipulate that if the Creditor does not apply the
23 Debtor's security, as tender of payment and collection, or state
24 that you are disclaiming the Tender or were unable to get
25 collection from an insolvent Debtor, to the account as paid in
26 full, then I shall be discharged as surety. I compelled the
27 Principal to sue the debtor and they failed to do so. I provided
28 ample time for this to occur.¹

(Doc. 1 at 6.) Mira's complaint also includes a page titled "Bill in Equity for Exoneration

¹ Mira made identical allegations in a previous case. (CV-24-3161-PHX-MTL, Doc. 1 at 6.) That case was dismissed after she failed to pay the filing fee or apply to proceed in forma pauperis.

1 of Sureties.” (Doc. 1 at 7.) That page contains similar unexplained allegations regarding a
2 debtor, creditor, and solvency.


3 Mira’s allegations do not state any plausible claim for relief. There are no
4 allegations regarding what Bank of America did or why Mira is suing it. Instead, Mira’s
5 allegations appear to be based on theories invoked by “sovereign citizens.” *Vickery v.*
6 *McBride*, No. 823CV01874DCCJDA, 2023 WL 9067806, at *3 (D.S.C. May 9, 2023),
7 *report and recommendation adopted*, No. 8:23-CV-01874-DCC, 2023 WL 8368392
8 (D.S.C. Dec. 4, 2023) (discussing sovereign citizen theory and its use of “debtor” and
9 “surety”). Such allegations have been described as frivolous and utterly meritless. *United*
10 *States v. Sterling*, 738 F.3d 228, 233 n.1 (11th Cir. 2013) (sovereign citizen “legal theories
11 [are] frivolous”); *United States v. Studley*, 783 F.2d 934, 937 n.3 (9th Cir. 1986) (sovereign
12 citizen arguments are “utterly meritless”). Any amendment would be futile.

13 Accordingly,

14 **IT IS ORDERED** the Application (Doc. 5) is **GRANTED**.

15 **IT IS FURTHER ORDERED** the complaint (Doc. 1) is **DISMISSED WITH**
16 **PREJUDICE**. The Clerk of Court shall close this case.

17 Dated this 22nd day of January, 2025.

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21 **Honorable Krissa M. Lanham**
22 **United States District Judge**
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